

Assembly Joint Resolution

No. 8

Introduced by Assembly Member Canciamilla

February 22, 2005

Assembly Joint Resolution No. 8— Relative to marine pollution.

LEGISLATIVE COUNSEL'S DIGEST

AJR 8, as introduced, Canciamilla. Marine pollution.

This measure would urge the Congress of the United States to ratify treaty provisions known as Annex VI of MARPOL 73/78, and the United States Environmental Protection Agency to pursue the creation of a North America Sulfur Emission Control Area.

Fiscal committee: no.

1 WHEREAS, There are currently no enforceable international
2 standards relating to the discharge of sewage from commercial
3 vessels. The average cruise liner can discharge approximately
4 100,000 liters of sewage a day, while the average bulk carrier
5 with a crew of 25 discharges approximately 300 liters a day; and
6 WHEREAS, An international treaty, the Protocol of 1978
7 relating to the International Convention for the Prevention of
8 Pollution from Ships, 1973, as amended at London in February
9 1978, is known as the MARPOL 73/78 Convention (hereafter
10 Marpol 73/78). Annex VI of MARPOL 73/78 (hereafter, Annex
11 VI) defines and sets standards for sewage management systems
12 on ships and in ports; and
13 WHEREAS, Having been ratified by 15 nations representing
14 over one half of the world's shipping tonnage, Annex VI will go
15 into effect in March 2005; and

1 WHEREAS, Annex VI will acquire the force of law in the
2 United States only after the Senate concurs to the treaty and the
3 United States deposits its instrument of ratification with the
4 International Maritime Organization, a branch of the United
5 Nations; and

6 WHEREAS, The United States Senate Foreign Relations
7 Committee has delayed for several years the ratification of
8 Annex VI; and

9 WHEREAS, Included within Annex VI is a provision for
10 signatory states to petition the International Maritime
11 Organization to designate areas within their jurisdiction as a
12 Sulphur Emission Control Area or SECA. Once an area is
13 designated as a SECA, a specified cap on sulphur levels in
14 marine fuels for sale or combustion can be stipulated. Currently
15 the Baltic and North Sea have been designated as SECA's and
16 consequently all ships operating in those areas must use heavy
17 fuel with no more than 1.5 percent sulphur content. If using
18 marine diesel fuel, the sulphur content must be 0.2 percent or
19 below; and

20 WHEREAS, The United States Environmental Protection
21 Agency has stated its intent to pursue, in cooperation with
22 Canada and Mexico, a North America SECA and is already in
23 the process of collecting the requisite data necessary to support a
24 petition to the International Maritime Organization; and

25 WHEREAS, The California Air Resources Board estimates
26 that sulphur reduction in marine fuels will reduce particulate
27 matter by approximately 20 percent and additionally provide a
28 benefit in mitigation of NO_x; and

29 WHEREAS, The reduction of sulfur content in fuel also
30 provides for corresponding reductions in emissions of oxides of
31 sulphur (SO_x) and diesel particulate matter (PM); and

32 WHEREAS, Reductions in NO_x, SO_x, and PM promote direct
33 and indirect environmental and public health benefits; and

34 WHEREAS, The creation of a North America Sulfur Emission
35 Control Area will lead to the expanded availability of low sulfur
36 fuel for the international maritime trade, and maintain the
37 competitive standing of California's ports; now, therefore, be it

38 *Resolved by the Assembly and the Senate of the State of*
39 *California, jointly, That the Legislature respectfully*
40 *memorializes the Congress of the United States to ratify Annex*

1 VI of MARPOL 73/78, and the Enviromental Protection Agency
2 to pursue the creation of a North America Sulfur Emission
3 Control Area; and be it further
4 *Resolved*, That the Chief Clerk of the Assembly transmit
5 copies of this resolution to the President and Vice President of
6 the United States, to the Speaker of the House of
7 Representatives, to each Senator and Representative from
8 California in the Congress of the United States, to the United
9 States Environmental Protection Agency, to the United States
10 Coast Guard, and to the author for appropriate distribution.

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